REMARKS

The Office Action dated May 7, 2004 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 8, 12, 19, 20, 21 and 22 were amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added and support for the amendment may be found throughout the specification, for example, on page 5, lines 23-24. Thus, claims 1, 2-13 and 15-22 are pending in the present application and are respectfully submitted for consideration.

Claim 8 was objected to for allegedly reciting a broad limitation. Though the basis for this rejection is unclear, claim 8 has been amended to more particularly point out and distinctly claim the subject matter of the invention. Thus, the objection is rendered moot.

Claim 12 was objected to because of alleged informalities. Claim 12 was amended to correct the informalities. Thus, the objection of claim 12 is rendered moot.

Claims 1, 4-6, 7-8 and 19-20 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,999,610 (*Lin et al.*) The Office Action took the position that *Lin* taught all the features of the pending claims, except that *Lin* does not explicitly discuss that the services are sent to each service control point (SCP) until initiation of the service at one of the control points or when the SCP refuses to initiate the service. The Office Action then took the position that it would have been obvious to one

of ordinary skill in the art at the time the invention was made to conclude that *Lin* taught that a response received from the SCP 600 is one for initiation of services or that SCP refused to initiate the service and, therefore, a query will not have to be sent to another SCP after such response. Applicant submits that *Lin* does not disclose or suggest all the features of claims 1, 4-6, 7-8 and 19-20.

Claim 1, upon which claims 4-8 are dependent, recites a method of initiating services in a telecommunications network including at least one switching point and at least two control points for controlling services. The control points each have a unique address. A service request is sent by the switching point to a control point in order to initiate a service. The method includes setting at least two control point addresses to send a service request relating to a service. The method also includes sending the service request to the control point addresses one at a time, until the service is initiated at one of the addresses. The service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the addresses.

Claim 19 recites a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information relating to services. The switching point sends a service request to a control point in order to initiate a service. The network includes means for storing in the database at least two control point addresses to send a service request relating to a service. The network also includes

means for adapting the switching point to send the service request to the set control point addresses one at a time, until the service is initiated at one of the control point addresses. A service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the addresses.

Claim 20 recites a switching point for a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information relating to the services. The switching point sends a service request to a control point in order to initiate a service. The switching point includes means to receive a list of at least two control point addresses that a service request related to a service is sent. The switching point also includes means to send the service request to the set control point addresses one at a time, until the service is initiated at one of the control point addresses. The service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service initiated is initiated at one of the addresses.

As discussed in the specification, examples of the present invention enable specifying that a service request relates to a service. Examples of the present invention describe that the service request relates to a single service, or certain service, that may be controlled by at least two different control points, each having a unique address. A backup may be provided when a first address does not function or is not able to provide

the service requested. Thus, the availability of services may be improved and ensured, especially during congestion. It is respectfully submitted that the prior art of *Lin* fails to disclose or suggest all the elements of any of the presently pending claims. Therefore, *Lin* fails to provide the critical and unobvious advantages discussed above.

Lin relates to managing feature interactions in a telecommunications system. *Lin* describes managing communications between a service origination node and a plurality of serving nodes where the serving nodes are simultaneously active for a particular trigger to thereby generate a reply to the service origination node. *Lin* also describes using a service category to define a controlling algorithm for some particular combination of service categories having simultaneous access to two SCPs to a single trigger active on a particular subscriber's line. These algorithms embody the controlling logic, and are needed to define the interactions between an SSP and the SCPs when a particular trigger is encountered. *Lin* describes determining whether the service control points are to be queried simultaneously, sequentially, or whether only one SCP will be queried. Sequential querying would be appropriate when the decision to invoke one service is dependent upon the results returned by a previously-invoked service, or when one service depends upon specific information generated by another service. Thus, *Lin* describes that two services may have simultaneous access to a particular trigger. Referring to Figure 6 of *Lin*, trigger 104 is accessed by SCP 600 and SCP 602. *Lin*, however, does not disclose or suggest setting at least two control point addresses to send a service request relating to

a service or sending the service request to the control point addresses one at a time, until the initiated at one of the service addresses.

In contrast, claim 1 recites "setting at least two control point addresses to send a service request relating to a service and sending the service request to the control point addresses one at a time, until the service is initiated at one of the addresses, wherein the service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the address." Claim 19 recites "means for storing in the database at least two control point addresses to send a service request relating to a service and means for adapting the switching point to send the service request to the set control point addresses one at a time, until the service is initiated at one of the control point addresses." Claim 20 recites "means to receive a list of at least two control point addresses that a service request related to a service is sent and means to send the service request to the set control point addresses one at a time, until the service is initiated at one of the control point addresses." Applicant submits that *Lin* does not disclose or suggest at least these features of the pending claims.

As discussed above, at least two control point addresses are set to send a service request relating to one service. *Lin* does not disclose or suggest this feature. Instead, *Lin* describes that two services have simultaneous access to a particular trigger. Further, according to *Lin*, the decision to invoke one service is dependent upon a previously-invoked service, such that one service depends upon specific information generated by

another service. This aspect of *Lin* does not disclose or suggest setting at least two control point addresses to send a service request relating to a service. *Lin* does not disclose or suggest providing a backup when a first address does not function or is not able to provide the one service. Therefore, *Lin* does not disclose or suggest all the features of claims 1, 4-8 and 19-20. Applicant respectfully requests that the obviousness rejection of these claims be withdrawn.

Claims 3, 9, 10-13, 15-18 and 21-22 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Lin* in view of U.S. Patent No. 5,825,860 (*Moharram*). The Office Action took the position that *Lin* taught the features of these claims except for the congestion information being sent by at least one control point, wherein the congestion information restricts the rate the service requester sent to the control point. *Moharram* is recited as curing the deficiencies of *Lin*. Applicant submits that *Moharram* does not disclose or suggest those features of the pending claims missing from *Lin*, and that a combination of *Lin* and *Moharram* fails to disclose or suggest the present invention.

Claim 3 depends directly from claim 1, as summarized above.

Claim 9, upon which claims 10-13 and 15-18 are dependent, recites a method of initiating services in a telecommunications network including at least one switching point and at least two control points for controlling services. The control points each have a unique address. A service request is sent by the switching point to a control point in order to initiate a service, and the switching point has congestion information of at least

one control point. The method includes setting at least two control point addresses to send a service request relating to a service. The method also includes sending the service request to a control point address selected on the basis of the congestion information. The service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

Claim 21 recites a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information relating to services. The switching point sends a service request to the control point in order to initiate a service and the switching point has congestion information of at least one control point. The network includes, in the database, at least two control point addresses are stored that a service request related to a service is sent. The switching point is adapted to send the service request to a control point address selected on the basis of the congestion information. The service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

Claim 22 recites a switching point for a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the

control points each have a unique address, and a database for storing information relating to services. The switching point sends a service request to a control point in order to initiate a service and the switching point has congestion information of at least one control point. The switching point includes means to receive a list of at least two control point addresses that a service request related to a service is sent. The switching point also includes means to send the service request to a control point address selected on the basis of the congestion information, wherein the service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

Lin is discussed above. *Moharram* relates to a load sharing group of service control points connected to a mediation point for traffic management control. *Moharram* describes a mediation point connected to a group of service control points to solve the problem of network traffic overload. The mediation point of *Moharram* includes control features to balance the load and manage the overload controls from the multiple service control points that are deployed and load sharing mode in the network. For example, *Moharram* describes that when an SCP 102 desires to request overload control for a new global title address and translation type, it sends a subsystem congestion message indicating the control to mediation point 106. A combination of *Lin* and *Moharram*, however, does not disclose or suggest setting at least two control point addresses to send

a service request relating to a service and sending the service request to a control point address selected on the basis of the congestion information.

In contrast, claim 9 recites "setting at least two control point addresses to send a service request relating to a service" and "sending the service request to a control point address selected on the basis of the congestion information, wherein the service request is sent to the address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses." Claims 21 and 22 recite similar subject matter. Applicant submits that the cited references, when viewed alone or in combination, do not disclose or suggest at least these features of the presently pending claims.

As discussed above, *Lin* does not disclose the feature of setting at least two control point addresses to send a service request relating to a service. Further, applicant submits that *Lin* does not disclose or suggest sending the service request to a control point address selected on the basis of congestion information. *Moharram* also does not disclose or suggest these features. *Moharram* describes load sharing between a group of SCPs for traffic management control within the network. *Moharram* does not disclose or suggest setting control point addresses to send a service request relating to a service and sending the service request to an address selected on the basis of congestion information. The overload controls of *Moharram* do not disclose or suggest sending service requests to a control point address selected on the basis of the overload information. Therefore,

Moharram does not disclose or suggest those features of the pending claims missing from *Lin*. Thus, the cited references, either alone or in combination, do not disclose or suggest all the features of claims 9, 10-13, 15-18, 21 and 22.

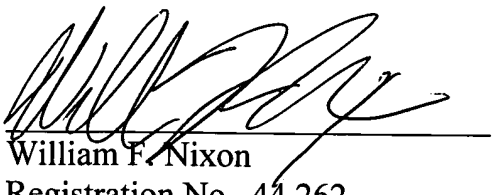
With regard to claim 3, claim 3 is dependent upon claim 1. Applicant submits that claim 1 is not rendered obvious by *Lin* in view of *Moharram*. Specifically, *Moharram* does not disclose or suggest the features of claim 1 missing from *Lin*. Because claim 1 is non-obvious, then claim 3 also is non-obvious. If an independent claim is non-obvious, then any claim depending therefrom also is non-obvious. MPEP 2143.03. Therefore, applicant submits that the cited references do not disclose or suggest all the features of claims 3, 9, 10-13, 15-18 and 21-22. Applicant respectfully requests that the obviousness rejection of these claims be withdrawn.

Thus, it is submitted that each of claims 1-22 recites subject matter that is neither disclosed nor suggested by the cited references, either alone or in combination. It is therefore respectfully requested that all of claims 1-22 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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